

Notice of Allowability	Application No.	Applicant(s)	
	10/705,226	RAVENSCROFT ET AL.	
	Examiner	Art Unit	
	(Jackie) Tan-Uyen T. Ho	3731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the paper files on 6/16/05.
2. ☒ The allowed claim(s) is/are 2,6,7,14,16,17,19-28 and 31-50.
3. ☒ The drawings filed on 12 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. The amendment and Applicant's arguments, filed 6/16/05 have been fully considered and are persuasive.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Donald Studebaker on 8/3/05.

Claim 19, line 14, replace "mounted" with --positioned--

Claim 21, line 2, replace "mounted" with --positioned--

Claim 23, line 14, replace "mounted" with --positioned--

Claim 24, line 14, replace "mounted" with --positioned--

Claim 31, line 21, replace "mounted" with --positioned--, line 28, replace "mounted." with --positioned--

Claim 35, line 3, replace "mounted" with --positioned--

Claim 37, line 7, replace "mounted" with --positioned--

Claim 39, line 6, replace "mounted" with --positioned--

Claim 47, line 23, replace "mounted" with --positioned--, line 28, replaced "mounted" with --positioned--.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance:

Claims 2, 6, 7, 16, 17 are allowed because the prior art fails to disclose or suggest a medical device anchor comprising in combination with other limitation of the claims, first and second anchor sections curve arcuately outward from an anchor shaft and back toward the anchor shaft.

Claims 19-22, 28 are allowed because the prior art fails to disclose or suggest a medical device anchor comprising in combination with other limitation of the claims, first and second anchor sections expanding in directions transverse to the longitudinal axis of the device.

Claim 23 are allowed because the prior art fails to disclose or suggest a medical device anchor comprising in combination with other limitation of the claims, first and second anchor section extending outwardly from the anchor shaft in spiral configuration.

Claims 24-27 are allowed because the prior art fails to disclose or suggest a medical device anchor comprising in combination with other limitation of the claims, an expandable anchor at a second end of each anchor shaft being formed integrally with the anchor shaft by splitting the anchor shaft longitudinally a second end thereof to form first and second anchor sections.

Claims 31-38 are allowed because the prior art fails to disclose or suggest a medical device anchor comprising in combination with other limitation of the claims, a locking unit as claimed.

Claims 40-46 are allowed because the prior art fails to disclose or suggest a method for positioning and anchoring a blood clot filter comprising in combination with other limitation of the claims, a step of enclosing an anchor in a filter leg until after the filter leg engages a blood vessel wall and the step of propelling both an anchor and the a distal end section of the anchor shaft through the blood vessel wall.

Claims 47-50 are allowed because the prior art fails to disclose or suggest a medical device anchor comprising in combination with other limitation of the claims, a drive shaft for controlling the movement of the anchor shaft as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Jackie) Tan-Uyen T. Ho whose telephone number is 571-272-4696. The examiner can normally be reached on MULTIFLEX Mon. to Sat..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ANHTUAN NGUYEN can be reached on 571-272-4963. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3731

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Tan-Uyen T. Ho", with a stylized flourish at the end.

(Jackie) Tan-Uyen T. Ho
Patent Examiner
Art Unit 3731

August 4, 2005